

SENATE RECORD VOTE ANALYSIS

104th Congress
2nd Session

Vote No. 84

April 25, 1996, 5:19 p.m.
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ILLEGAL IMMIGRATION/Legal Immigration Priorities and New Limits

SUBJECT: Immigration Control and Financial Responsibility Act of 1996 . . . S. 1664. Feingold motion to table the Feinstein/Boxer amendment No. 3740 to the Simpson amendment No. 3725 to the Simpson motion to recommit with instructions.

ACTION: MOTION TO TABLE AGREED TO, 74-26

SYNOPSIS: As reported, S. 1664, the Immigration Control and Financial Responsibility Act of 1996, will address the issue of illegal immigration: by increasing the number of Border Patrol and investigative personnel; by establishing pilot programs to improve the system used by employers to verify citizenship or work-authorized alien status; by increasing penalties for alien smuggling and document fraud, by reforming asylum, exclusion, and deportation laws and procedures; and by reducing the use of welfare by aliens.

The Simpson motion to recommit with instructions would direct the Judiciary Committee to report the bill back forthwith.

The Simpson amendment to the motion would add a section to the bill that would require non-immigrants who entered the United States on student visas in order to attend elementary or secondary school to pay the costs of that attendance unless the school waived that payment. Further, failure of a student on a student visa to remain enrolled in school would be grounds for deportation and exclusion.

The Feinstein second-degree amendment would set a yearly hard cap of 480,000 on family-sponsored immigration (the current level for family-sponsored immigration is 480,000, though that level is not a hard cap because it does not include immediate relatives of citizens; the Immigration and Naturalization Service (INS) announced after this bill reached the floor that total family-sponsored immigration for FY 1995 was 1.1 million, and for FY 1996 it estimates that it will reach 934,000). Visas would first go to the spouses and minor children of citizens. Any remaining visas would then be distributed among other preference categories, which would have sub-limits depending on how many visas were available after the first preference had been filled. The sub-limit ranges would be as follows:

- 35,000-45,000 for parents of adult citizens;

(See other side)

YEAS (74)				NAYS (26)		NOT VOTING (0)	
Republican (39 or 74%)		Democrats (35 or 74%)		Republicans (14 or 26%)	Democrats (12 or 26%)	Republicans (0)	Democrats (0)
Abraham	Hatfield	Akaka	Kerry	Brown	Baucus		
Ashcroft	Hutchison	Biden	Kohl	Burns	Boxer		
Bennett	Inhofe	Bingaman	Lautenberg	Cohen	Breaux		
Bond	Kempthorne	Bradley	Leahy	Dole	Bryan		
Campbell	Lott	Bumpers	Levin	Faircloth	Byrd		
Chafee	Lugar	Conrad	Lieberman	Grassley	Exon		
Coats	Mack	Daschle	Mikulski	Helms	Feinstein		
Cochran	McCain	Dodd	Moseley-Braun	Jeffords	Heflin		
Coverdell	McConnell	Dorgan	Moynihan	Kassebaum	Hollings		
Craig	Murkowski	Feingold	Murray	Kyl	Johnston		
D'Amato	Nickles	Ford	Pell	Roth	Nunn		
DeWine	Pressler	Glenn	Pryor	Shelby	Reid		
Domenici	Santorum	Graham	Robb	Simpson			
Frist	Smith	Harkin	Rockefeller	Thomas			
Gorton	Snowe	Inouye	Sarbanes				
Gramm	Specter	Kennedy	Simon				
Grams	Stevens	Kerrey	Wellstone				
Gregg	Thompson		Wyden				
Hatch	Thurmond						
	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

- 50,000-75,000 for spouses and minor children of permanent resident aliens;
- 15,000-25,000 for adult unmarried children of citizens;
- 10,000-25,000 for adult married children of citizens; and
- brothers and sisters of United States citizens, and adult children of permanent resident aliens, would be eligible for visas, but not before 2002.

If less than 480,000 visas were used by the above categories in a year, then the remainder would be used to admit from current waiting lists the spouses and minor children of permanent residents and the brothers and sisters of citizens. The amendment would also place limits on the number of immigrants from any one country, and would not allow unused employment-based visas to be used for family-based visas.

Debate was limited by unanimous consent. Following debate, Senator Feingold moved to table the Feinstein amendment. Generally, those favoring the motion to table opposed the amendment; those opposing the motion to table favored the amendment.

Those favoring the motion to table contended:

Any Senator who voted against the Simpson amendment should join us in voting against the Feinstein amendment. There is hardly any difference between them. According to a chart provided to us by the Immigration and Naturalization Service (INS), there will be 472,781 people admitted next year as immediate relatives. Under the Feinstein amendment, that would leave only 7,151 slots for everyone else. In subsequent years, in fairness, the INS expects less slots to be taken by immediate family members, but still, even assuming the family preference limits allowed in the amendment are reached for all categories, it would still result in substantial reductions. The immigration of adult children of U.S. citizens, for instance, would be cut by over 60 percent. Further, it would take the draconian step of eliminating all immigration for siblings. The substantive effect of this amendment would really be very little from the effect of the previous amendment. We voted against that previous amendment, and will vote to table the Feinstein amendment now.

Those opposing the motion to table contended:

The Feinstein amendment offers a compromise between the Simpson amendment and the provisions in the legal immigration bill that have been advanced by Senator Kennedy and Senator Abraham. Like the Simpson amendment, the Feinstein amendment would set a hard cap on family totals of 480,000. Unlike the Simpson amendment, though, it would make sure that at least some visas were available on a sliding scale basis for relatives of citizens who are not immediate family members, and would use visas that were left over to clear up some of the backlog in visas for permanent resident aliens. To eliminate the problem of chain migration it would place a 5-year moratorium on visas for the sibling category, which the INS informs us is the main cause of such migration. This amendment therefore takes a balanced approach--it keeps the hard cap which is necessary and which is supported by the American people, but it addresses the concern expressed by some of our colleagues on the previous amendment that at least some visa slots should be left open for other than immediate family members of citizens and permanent residents. We urge our colleagues to support this fair compromise approach.